IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL (ST) NO.25376 OF 2005

Smt Khatunnisa Nausekhan
(since deceased) through Legal Heirs ...Appellants

Versus

Lalchand Harasand Thakur & Ors. ...Respondents

Shri Rajesh Dixit for the Appellants.
Shri V.P.Sawant for the Respondent No.2.

CORAM : ABHAY S.OKA, J.
DATED : 03rd December, 2007.

P.C.:

1. The consent terms are already taken on record and marked "X" for identification on 19th September, 2007.

2. The advocate appearing for the appellants state that the first appellant has affixed his thumb impression on the consent terms and the second appellant has duly signed the same. He states that the second appellant is personally present in the court. The advocate for the second respondent states that a partner of the second respondent has duly signed the consent terms. The advocates appearing for the parties stated that appeal be disposed of in terms of the consent terms. The learned advocate for the appellant states

that he is not pressing the appeal as against the first respondent.

3. Hence, I pass the following order:

(i) The appeal stands dismissed as against first respondent.

(ii) There will be a decree between the appellants and the second respondent in terms of the consent terms marked "X" for identification and taken on record on 19th September, 2007.

(iii) The appellants will be entitled to refund of court fees as per the rules.

JUDGE